

United States District Court
DISTRICT OF NEVADA

Filed	Received	Entered	Served On
			Counsel/Parties of Record
NOV 27 2023			
Clerk US District Court District of Nevada			
By:	Deputy		

Timothy Baggott
Plaintiff/Petitioner,

v.

Sgt. Edmonds et al
Defendant/Respondent,

**APPLICATION TO PROCEED
IN FORMA PAUPERIS
FOR INMATE**

CASE NUMBER: 3:23-cv-00595

I, Timothy Baggott, declare that I am the (check the appropriate box)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Plaintiff
(filing 42 U.S.C. § 1983) | — Movant
(filing 28 U.S.C. § 2255 motion) |
| — Petitioner
(writ of habeas corpus
28 U.S.C. §§ 2254 or 2241) | — Other |
| | — Defendant/Respondent |

in this case. I am unable to prepay the fees of this proceeding or give security because of my poverty. I acknowledge and consent that a portion of any recovery, as directed by the court, shall be paid to the clerk for reimbursement of all fees incurred by me as a result of being granted leave to proceed *in forma pauperis*.

In further support of this application, I answer the following questions:

1. Are you presently employed? Yes ☒ No
 - a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (List gross and net salary.)
 - b. If the answer is "no," state the date of last employment and the amount of the salary or wages per month which you received.
 2012 Spring 1600 monthly
2. Have you received within the past twelve months any money from any of the following sources?
 - a. Business, profession or other form of self-employment? Yes ☒ No

- b. Rent payments, interest or dividends? ☐ Yes ☒ No
 c. Pensions, annuities or life insurance payments? ☒ Yes ☐ No
 d. Gifts or inheritances? ☐ Yes ☒ No
 e. Any other sources? ☐ Yes ☒ No

If the answer to any of the above is "yes," describe each source of money and state the amount received from each during the past twelve months.

e. SSSI 4570 This Year

3. c. Laborers Approx \$150/mo For Approx 10 mo.
 Do you own any cash, or do you have money in checking or savings accounts (include any funds in prison accounts, and any funds on deposit with a bank, saving & loan, etc., outside the prison)?

☐ Yes ☒ No

If the answer is "yes," state the total value and list the location of each account, type of account, and amount or balance in the account. Do not include your account number(s).

4. Do you own or have any interest in any real estate, stocks, bonds, notes, trusts, automobiles or other valuable property (excluding ordinary household furnishings and clothing)?

☒ Yes ☒ No

If the answer is "yes," describe the property, its location and state its approximate value.

2008 Toyota Yaris \$2,000 or less

Southern, Illinois

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support each month.

None

6. Do you receive any income from disability, Social Security or any other pension?

☒ Yes ☐ No

If the answer is "yes," describe the source and amount received each month.

SSI \$914 monthly (currently none while incarcerated)
 Laborer's Union \$150 monthly pension

7. Have you placed any property, assets or money in the name or custody of anyone else in the last two years?

☐ Yes ☒ No

If the answer is "yes," give the date, describe the property, assets or money, give the name of the person given custody of the item and the reason for the transfer.

ACKNOWLEDGMENT

I, the undersigned, acknowledge that I have read the foregoing and that the information contained therein is true and correct to my own knowledge and belief.

Further, I state that I have not directly or indirectly paid or caused to be paid to any inmate, agent of an inmate, or family member of any inmate a sum of money, favors or anything else for assistance in the preparation of this document or any other document in connection with this action.

Further, I acknowledge that if any of the information included in this motion for leave to proceed *in forma pauperis* is false or misleading, I understand that sanctions may be imposed against me. Those sanctions may include, but are not limited to, the following:

- (1) dismissal of my case with prejudice;
- (2) imposition of monetary sanctions;
- (3) the Nevada Department of Prisons may bring disciplinary proceedings for a violation of MJ-48 of the Code of Penal Discipline, which can include all sanctions authorized under the Code including the loss of good time credits and punitive confinement; and
- (4) perjury charges.

Further, I hereby authorize the United States District Court, District of Nevada, or its representative, to investigate my financial status, and authorize any individual, corporation, or governmental entity to release any such information to the said Court or its representative.

Further, I acknowledge and consent that a portion of any recovery, as directed by the court, shall be paid to the clerk for reimbursement of all fees and costs incurred by me as a result of being granted leave to proceed *in forma pauperis*.

Dated this 29 day of Sept, 2023.

T. B. [Signature]
(Signature of Applicant)

I understand that a false statement or answer to any question in this declaration will subject me to penalties of perjury. **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.** See 28 U.S.C. § 1746 and 18 U.S.C. § 1621.

Signed at Elko County Detention Center
(Location)

T. B. [Signature]
(Signature)

9/29/23
(Date)

0275063
(Inmate Prison Number)

FINANCIAL CERTIFICATE

I request that an authorized officer of the institution in which I am confined, or other designated entity, such as Inmate Services for the Nevada Department of Prisons (NDOC), complete the below Financial Certificate.

I understand that:

(1) if I commence a petition for writ of habeas corpus in federal court pursuant to 28 U.S.C. § 2254, the filing fee is \$5.00, and that such fee will have to be paid by me if the court denies my *in forma pauperis* application;

(2) if I commence a civil rights action in federal court pursuant to 42 U.S.C. § 1983, the filing fee is \$402.00 (which includes the \$350 filing fee and a \$52 administrative fee), which I must pay in full; and

(a) if my current account balance (line #1 below) is \$402.00 or more, I will not qualify for *in forma pauperis* status and I must pay the full filing fee of \$402.00 before I will be allowed to proceed with the action;

(b) if I do **NOT** have \$402.00 in my account as reflected on line #1 below, before I will be allowed to proceed with an action I will be required to pay 20% of my average monthly balance (line #2 below), or the average monthly deposits to my account (line #3 below), whichever is greater, and thereafter I must pay installments of 20% of the preceding month's deposits to my account in months that my account balance exceeds \$10.00 (if I am in the custody of the NDOC, I hereby authorize the NDOC to make such deductions from deposits to my account, and I further understand that if I have a prison job, then the 20% of my paycheck that is guaranteed to me as spendable money will be sent to the court for payment of the filing fee); and

(c) I must continue to make installment payments until the \$350.00 filing fee is fully paid, without regard to whether my action is closed or my release from confinement. The \$52 administrative fee will be waived only if I am granted permission to proceed *in forma pauperis*.

Type of action (check one): ☒ civil rights

☐ habeas corpus

Timothy J Baggott
INMATE NAME (printed)

Tim Baggott #2275063
SIGNATURE & PRISON NUMBER

1. CURRENT ACCOUNT BALANCE

0

2. AVERAGE MONTHLY BALANCE*

33.00

3. AVERAGE MONTHLY DEPOSITS*

33.00

4. FILING FEE (based on #1, #2 or #3, whichever is greater)

33.00

* for the past six (6) months, from all sources, including amount in any savings account that is in excess of minimum amount that must be maintained

I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

(Please sign in ink in a)
(color other than black.)

9/27/23
DATE

[Signature] 059
AUTHORIZED OFFICER

Deputy
TITLE

RESIDENT ACCOUNT STATEMENT

Page 1 of 1

Elko County Jail

09/20/2023 22:06

ST 24 | OPR 10241

SO Number : 2275063
 Resident Name : BAGGOTT, TIMOTHY JAMES
 Housing Location : ELSO ELLBLK FIRSTFLO
 Statement Period : 03/01/2023 - 09/20/2023

STATEMENT SUMMARY

Beginning Balance :	\$0.00
6 Deposits :	\$201.09
30 Payments :	\$201.09
Ending Balance :	\$0.00

Receipt #	Date	Time	Description	Payments	Deposits	Balance
A43871	05/21/2023	06:57	Intake		\$0.00	\$0.00
X3627	05/22/2023	16:27	Release	\$0.00		\$0.00
A43919	05/23/2023	02:55	ReIntake		\$0.00	\$0.00
A44597	06/15/2023	18:00	EF Commissary		\$50.00	\$50.00
A44598	06/15/2023	18:00	Rec Payment	\$10.00		\$40.00
B45411	06/16/2023	13:48	Order	\$15.44		\$24.56
B45417	06/16/2023	17:21	Order	\$5.90		\$18.66
B45437	06/17/2023	09:50	Order	\$8.00		\$10.66
B45438	06/17/2023	10:49	Order	\$10.66		\$0.00
A45087	07/06/2023	13:10	EF Commissary		\$150.00	\$150.00
A45088	07/06/2023	13:10	Rec Payment	\$30.00		\$120.00
B46172	07/06/2023	13:32	Order	\$37.33		\$82.67
B46174	07/06/2023	13:32	Rec Pymnt-Rev		\$1.09	\$83.76
B46283	07/10/2023	12:24	Order	\$20.12		\$63.64
B46329	07/11/2023	10:46	Order	\$25.66		\$37.98
B46387	07/12/2023	12:10	Order	\$11.38		\$26.60
B46445	07/13/2023	11:09	Order	\$7.01		\$19.59
B46676	07/19/2023	11:16	Order	\$10.34		\$9.25
B46718	07/20/2023	10:29	Order	\$2.46		\$6.79
B47088	07/29/2023	09:48	Order	\$6.71		\$0.08
B47270	08/02/2023	08:15	Rec Payment	\$0.08		\$0.00